



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Charles B. Roxlo, et al.

Serial No. 10/808,152

Examiner: not yet known

Filed: March 24, 2004

Art Unit: 2872

Title: Loosely-Packed Two-Dimensional  
Modulator Arrangement

Atty. Dkt. No.: 10021.002310 (P0307)

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

**Under 37 C.F.R. §1.56 and §§1.97-98**

Sir:

Pursuant to the provisions of 37 CFR 1.56 and §§1.97-98, enclosed herewith is form PTO/SB/08 (substitute for form 1449A/PTO) listing references which may be material to the examination of this application, and with respect to which there may be a duty to disclose. The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

A copy of each listed reference is enclosed herewith, unless no such copy is required pursuant to 37 CFR § 1.98(d).

- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. [SERIAL NUMBER], filed on [FILING DATE], and the references cited therein are hereby listed but are not required to be provided in this application under 37 CFR § 1.98(d).

Pursuant to 37 CFR §1.97, this Information Disclosure Statement is being submitted under the section indicated below.

☐ 37 CFR §1.97(b).

☒ 37 CFR §1.97(c). If so, then either:

☒ Applicant certifies pursuant to 37 CFR § 1.97(e) that either:

- ☒ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56 (c) more than three months prior to the filing of this Statement.

OR

☐ Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).

☐ 37 CFR § 1.97(d). If so, then both:

☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that either:

- ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement.

AND

☐ Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).

Consideration of the listed references and favorable action are respectfully solicited.

Respectfully submitted,

Charles B. Roxlo, et al.

Dated: November 1, 2004

By:

*Patrick D. Benedicto*

Patrick D. Benedicto

Attorney For Applicant(s)

Reg. No. 40,909

OKAMOTO & BENEDICTO LLP

P.O. Box 641330

San Jose, CA 95164-1330

Tel.: (408) 436-2110

Fax: (408) 436-2114

| CERTIFICATE OF MAILING   |                             |        |                  |
|--|-----------------------------|--------|------------------|
| I hereby certify that this correspondence, including the enclosures identified herein, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10. |                             |        |                  |
| Signature:   | <i>Patrick D. Benedicto</i> |        |                  |
| Typed or Printed Name:   | Patrick D. Benedicto        | Dated: | November 1, 2004 |
| Express Mail Mailing Number (optional):  |                             |        |                  |

PTO/SB/08a (08-03)

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 2

**Complete if Known**

|                        |                      |
|------------------------|----------------------|
| Application Number     | 10/808,152           |
| Filing Date            | March 24, 2004       |
| First Named Inventor   | Charles B. Róxlo     |
| Art Unit               | 2872                 |
| Examiner Name          | not yet known        |
| Attorney Docket Number | 10021.002310 (P0307) |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials * | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|------------------------|--------------------------|---|----------------|
|                        | J                        | PCT International Search Report for International Application No. PCT/US2004/09292 (2 sheets)   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.